

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: § Attorney Docket No. 31132.59
Bryan, et al. § PC904.03
§ Customer No. 46333
Serial No.: 09/776,394 § Group Art Unit: 3738
Filed: February 2, 2001 § Examiner: Stewart, Alvin J.
For: Human Spinal Disc Prosthesis §

LETTER TO EXAMINER

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

Applicant notes with appreciation the efforts of both Examiner Stewart and Examiner McDermott over the past several weeks to advance this case from the Petitions branch where a decision on the PETITION UNDER 37 CFR §1.183 FOR WAIVER OF SIGNATURE REQUIREMENT FOR NONSIGNING INVENTOR OF SUPPLEMENTAL DECLARATION is pending. Because resolution of the petition is not expected for several months, this RCE has been filed to avoid abandonment of the application.

The formalities identified in the Final Office Action have been addressed in the Response to Final Office Action filed July 16, 2007, entry of which is sought with RCE submitted herewith. Because all of the pending claims in this Application have been indicated as allowed, a notice of allowance is respectfully requested upon the granting of the above referenced petition. The Examiner is invited to telephone the undersigned at the below listed telephone number, if needed.

Respectfully submitted,


Julie M. Nickols
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Dated: October 15, 2007
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Document No. R-178978_1.DOC

Certificate of Service

I hereby certify that this correspondence is being file with the United States Patent and Trademark Office via EFS-Web on October 15, 2007.



Gayle Conner